

ASSEMBLY BILL

No. 753

Introduced by Assembly Member Adams

February 26, 2009

An act to amend Sections 303, 336, 342, 9003, 9004, 9005, 9007, 9008, 9014, 9034, 9035, 9050, 9053, 9054, 9063, 13247, and 13282 of, to add Sections 303.5, 9016, 9017, and 9018 to, to repeal Sections 9052, 13280, and 13281 of, and to repeal and add Sections 9001, 9002, 9006, 9009, 9012, 9013, 9015, and 9051 of, the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 753, as introduced, Adams. Ballot titles and labels.

Existing law requires the Attorney General to provide a ballot title for each measure to be submitted to the voters at a statewide election. The Attorney General is also required to prepare a summary of the chief purposes and points of each statewide ballot measure as part of the ballot title and return the measure with the ballot title and summary to the Secretary of State. Upon receipt of the ballot title and summary, the Secretary of State is required to send notification of the filing deadline and the certification deadline to the proponents of the measure and to the county elections official.

This bill would revise the provisions relating to the duties of the Attorney General and Secretary of State regarding ballot measures and the regulations and time requirements for proponents of a ballot measure. The bill would add definitions and would require the Attorney General to provide a circulating title and summary, as defined, for each proposed ballot measure that is submitted by proponents of the measure.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 303 of the Elections Code is amended to
2 read:

3 303. “Ballot label,” means that portion of ~~cardboard, paper or~~
4 ~~other material placed on the front of a voting machine~~ *the ballot*,
5 containing the names of the candidates or a statement of a measure.
6 *For statewide measures, the ballot label shall contain no more*
7 *than 75 words and shall be a condensed version of the ballot title*
8 *and summary including the fiscal impact summary prepared*
9 *pursuant to Section 9087 of this code and Section 88003 of the*
10 *Government Code.*

11 SEC. 2. Section 303.5 is added to the Elections Code, to read:

12 303.5. (a) “Ballot title” is the name of a statewide measure
13 included in the ballot label and the ballot title and summary.

14 (b) “Ballot title and summary” means the summary of the chief
15 purpose and points including the fiscal impact summary of any
16 measure that appears in the state ballot pamphlet. The ballot title
17 and summary shall include a statement of the measure’s fiscal
18 impact. This summary shall not exceed 100 words, not including
19 the fiscal impact statement.

20 (c) (1) “Circulating title and summary” means the text that is
21 required to be placed on a petition for signatures that is either one
22 of the following:

23 (A) The summary of the chief purpose and points of a proposed
24 initiative measure that affects the Constitution or laws of the state,
25 and the fiscal impact of the proposed initiative measure.

26 (B) The summary of the chief purpose and points of a
27 referendum measure that affects a law or laws of the state.

28 (2) The circulating title and summary shall not exceed 100
29 words, not including the fiscal impact summary.

30 SEC. 3. Section 336 of the Elections Code is amended to read:

31 336. The “official summary date” is the date a *circulating title*
32 *and summary* of a proposed initiative measure is delivered or
33 mailed by the Attorney General to the proponents ~~for a~~ *of the*
34 ~~proposed initiative measure. The Attorney General shall~~
35 ~~immediately notify the Secretary of State of that date and send the~~

1 Secretary of State a copy of the summary. The Secretary of State
2 immediately shall notify the proponents and county elections
3 official of each county of the official summary date and mail a
4 copy of the summary to each county elections official. This
5 notification shall also include a complete schedule showing the
6 maximum filing deadline, and the certification deadline by the
7 counties to the Secretary of State.

8 No petitions for a proposed initiative measure shall be circulated
9 for signatures prior to the official summary date. Petitions with
10 signatures on a proposed initiative measure shall be filed with the
11 county elections official not later than 150 days from the official
12 summary date, and no county elections official shall accept
13 petitions on the proposed initiative measure after that period.

14 SEC. 4. Section 342 of the Elections Code is amended to read:

15 342. "Proponent or proponents of an initiative or referendum
16 measure" means, for statewide initiative and referendum measures,
17 the person *elector* or persons *electors* who submit a draft of a
18 petition proposing the measure to the Attorney General with a
19 request that he or she prepare a *circulating* title and summary of
20 the chief purpose and points of the proposed measure; or for other
21 initiative and referendum measures, the person or persons who
22 publish a notice or intention to circulate petitions, or, where
23 publication is not required, who file petitions with the elections
24 official or legislative body.

25 SEC. 5. Section 9001 of the Elections Code is repealed.

26 9001. The heading of a proposed initiative measure shall be in
27 substantially the following form:

28 Initiative Measure to Be Submitted Directly to the Voters

29 The Attorney General of California has prepared the following
30 title and summary of the chief purpose and points of the proposed
31 measure:

32 (Here set forth the title and summary prepared by the Attorney
33 General. This title and summary must also be printed across the
34 top of each page of the petition whereon signatures are to appear.)

35 To the Honorable Secretary of State of California

36
37 We, the undersigned, registered, qualified voters of California,
38 residents of _____ County (or City and County), hereby propose
39 amendments to the Constitution of California (the _____ Code,
40 relating to _____) and petition the Secretary of State to submit the

1 same to the voters of California for their adoption or rejection at
2 the next succeeding general election or at any special statewide
3 election held prior to that general election or otherwise provided
4 by law. The proposed constitutional (or statutory) amendments
5 (full title and text of the measure) read as follows:

6 SEC. 6. Section 9001 is added to the Elections Code, to read:

7 9001. (a) Prior to the circulation of any initiative or referendum
8 petition for signatures, a draft of the proposed measure shall be
9 submitted to the Attorney General with a written request that a
10 circulating title and summary of the chief purpose and points of
11 the proposed measure be prepared. The electors presenting the
12 request shall be known as the “proponents.” The Attorney General
13 shall preserve the written request until after the next general
14 election.

15 (b) Each and every proponent of any proposed initiative measure
16 shall, at the time of submitting the draft of the measure, provide
17 both of the following:

18 (1) An original signed certification stating that “I, (insert name),
19 declare under penalty of perjury that I am a citizen of the United
20 States, 18 years of age or older, and a resident of (insert county),
21 California.”

22 (2) Public contact information.

23 (c) The proponents of any initiative measure, at the time of
24 submitting the draft of the measure to the Attorney General, shall
25 pay a fee of two hundred dollars (\$200), which shall be placed in
26 a trust fund in the office of the Treasurer and refunded to the
27 proponents if the measure qualifies for the ballot within two years
28 from the date the summary is furnished to the proponents. If the
29 measure does not qualify within that period, the fee shall be
30 immediately paid into the General Fund of the state.

31 (d) All referenda and proposed initiative measures must be
32 submitted to the Attorney General’s Initiative Coordinator located
33 in the Sacramento Attorney General’s Office via U.S. Postal
34 Service, alternative mail service, or personal delivery. Only printed
35 documents will be accepted, facsimile or e-mail delivery will not
36 be accepted.

37 (e) The Attorney General’s office shall not deem a request for
38 a circulating title and summary submitted until all of the
39 requirements of this section are met.

40 SEC. 7. Section 9002 of the Elections Code is repealed.

1 ~~9002. Prior to the circulation of any initiative or referendum~~
2 ~~petition for signatures, a draft of the proposed measure shall be~~
3 ~~submitted to the Attorney General with a written request that a~~
4 ~~title and summary of the chief purpose and points of the proposed~~
5 ~~measure be prepared. The title and summary shall not exceed a~~
6 ~~total of 100 words.~~

7 ~~The persons presenting the request shall be known as the~~
8 ~~“proponents.”~~

9 ~~The Attorney General shall preserve the written request until~~
10 ~~after the next general election.~~

11 SEC. 8. Section 9002 is added to the Elections Code, to read:

12 9002. (a) The proponents of a proposed initiative measure
13 may submit an amendment to the proposed measure within 15
14 days of the Attorney General’s original receipt of the proposed
15 measure.

16 (b) The amendment must be submitted with a signed request
17 by all the proponents to prepare a circulating title and summary
18 using the amended language.

19 (c) The amendment must be submitted to the Attorney General’s
20 Initiative Coordinator located in the Sacramento Attorney General’s
21 Office via U.S. Postal Service, alternative mail service or personal
22 delivery. Only printed documents will be accepted, facsimile or
23 e-mail delivery will not be accepted.

24 SEC. 9. Section 9003 of the Elections Code is amended to read:

25 9003. In the event that the Attorney General is a proponent of
26 a proposed measure, the *circulating* title and summary of the chief
27 purpose and points of the proposed measure, including an estimate
28 or opinion on the financial impact of the measure, shall be prepared
29 by the Legislative Counsel, and the other duties of the Attorney
30 General specified in this chapter with respect to the *circulating*
31 *title and ballot* title and summary and an estimate of the financial
32 effect of the measure shall be performed by the Legislative
33 Counsel.

34 SEC. 10. Section 9004 of the Elections Code is amended to
35 read:

36 9004. (a) Upon receipt of a draft of a ~~petition~~ *proposed*
37 *initiative measure*, the Attorney General shall prepare a *circulating*
38 *title and summary* of the chief purposes and points of the proposed
39 measure. *The circulating title and summary shall not exceed a*
40 *total of 100 words. The Attorney General shall also provide a*

1 *unique numeric identifier for each proposed initiative measure.*
2 The *circulating title and summary* shall be prepared in the manner
3 provided for the preparation of ballot titles *and summaries* in
4 Article 5 (commencing with Section 9050), the provisions of which
5 in regard to the preparation, filing, and settlement of *ballot* titles
6 and summaries are hereby made applicable to the *circulating title*
7 *and summary*. The

8 (b) The Attorney General shall provide a copy of the *circulating*
9 title and summary *and its unique numeric identifier* to the Secretary
10 of State ~~within 15 days after receipt of the final version of a~~
11 ~~proposed initiative measure, or if a fiscal estimate or opinion is to~~
12 ~~be included, within 15 days after receipt of the fiscal estimate or~~
13 ~~opinion prepared by the Department of Finance and the Joint~~
14 ~~Legislative Budget Committee pursuant to Section 9005. The date~~
15 ~~the copy is delivered or mailed to the proponents is the “official~~
16 ~~summary date.”~~

17 ~~If during the 15-day period, the proponents of the proposed~~
18 ~~initiative measure submit amendments, other than technical,~~
19 ~~nonsubstantive amendments, to the final version of the measure,~~
20 ~~the Attorney General shall provide a copy of the title and summary~~
21 ~~to the Secretary of State within 15 days after receipt of the~~
22 ~~amendments.~~

23 ~~The proponents of any initiative measure, at the time of~~
24 ~~submitting the draft of the measure to the Attorney General, shall~~
25 ~~pay a fee of two hundred dollars (\$200), which shall be placed in~~
26 ~~a trust fund in the office of the Treasurer and refunded to the~~
27 ~~proponents if the measure qualifies for the ballot within two years~~
28 ~~from the date the summary is furnished to the proponents. If the~~
29 ~~measure does not qualify within that period, the fee shall be~~
30 ~~immediately paid into the General Fund of the state.~~

31 (c) *Upon receipt of the circulating title and summary from the*
32 *Attorney General, the Secretary of State shall, within one business*
33 *day, notify the proponents and county elections official of each*
34 *county of the official summary date and provide a copy of the*
35 *circulating title and summary to each county elections official.*
36 *This notification shall also include a complete schedule showing*
37 *the maximum filing deadline, and the certification deadline by the*
38 *counties to the Secretary of State.*

39 SEC. 11. Section 9005 of the Elections Code is amended to
40 read:

9005. ~~Notwithstanding Section 9004, the~~ (a) The Attorney General, in preparing a *circulating* title ~~or and~~ summary for ~~an a~~ proposed initiative measure, shall determine whether the substance thereof if adopted would affect the revenues or expenditures of the state or local government, and if he or she determines that it would, he or she shall include in the *circulating* title and summary either the estimate of the amount of any increase or decrease in revenues or costs to the state or local government, or an opinion as to whether or not a substantial net change in state or local finances would result if the proposed initiative is adopted.

(b) The estimates as required by this section shall be made jointly by the Department of Finance and the Joint Legislative Budget Committee, who shall deliver ~~them~~ *the estimates* to the Attorney General so that he or she may include ~~them~~ *the estimates* in the ~~titles~~ *circulating title and summary* prepared by him or her.

(c) The estimate shall be delivered to the Attorney General within 25 working days from the date of receipt of the final version of the proposed initiative *measure* from the Attorney General, unless in the opinion of both the Department of Finance and the Joint Legislative Budget Committee a reasonable estimate of the net impact of the proposed initiative *measure* cannot be prepared within the 25-day period. In the latter case, the Department of Finance and the Joint Legislative Budget Committee shall, within the 25-day period, give the Attorney General their opinion as to whether or not a substantial net change in state or local finances would result if the proposed initiative *measure* is adopted.

(d) Any statement of fiscal impact prepared by the Legislative Analyst pursuant to subdivision (b) of Section 12172 of the Government Code may be used by the Department of Finance and the Joint Legislative Budget Committee in the preparation of the fiscal estimate or the opinion.

SEC. 12. Section 9006 of the Elections Code is repealed.

~~9006. If, for any reason, any initiative or referendum measure proposed by petition as provided by this article is not submitted to the voters at the next succeeding statewide election, that failure shall not prevent its submission at a succeeding statewide election.~~

SEC. 13. Section 9006 is added to the Elections Code, to read:

9006. (a) Upon receipt of a draft of a proposed referendum, the Attorney General shall prepare a circulating title and summary of the chief purpose and points of the proposed statute at issue.

1 The circulating title and summary shall not exceed a total of 100
2 words. No fiscal analysis shall be included.

3 (b) The Attorney General shall provide a copy of the circulating
4 title and summary of the proposed referendum to the proponents
5 and to Secretary of State within 10 days after receipt of the
6 proposed referendum.

7 (c) Upon receipt of the circulating title and summary from the
8 Attorney General, the Secretary of State shall, within one business
9 day, notify the proponents and county elections official of each
10 county of the official summary date and provide a copy of the
11 circulating title and summary to each county elections official.
12 This notification shall also include a complete schedule showing
13 the maximum filing deadline, and the certification deadline by the
14 counties to the Secretary of State.

15 SEC. 14. Section 9007 of the Elections Code is amended to
16 read:

17 9007. Immediately upon the preparation of the *circulating title*
18 *and summary of* ~~an a proposed~~ initiative or referendum ~~petition~~
19 *measure*, the Attorney General shall forthwith transmit copies of
20 the text of the measure and *the circulating title and* summary to
21 the Senate and Assembly. The appropriate committees of each
22 house may hold public hearings on the subject of the measure.
23 However, nothing in this section shall be construed as authority
24 for the Legislature to alter the measure or prevent it from appearing
25 on the ballot.

26 SEC. 15. Section 9008 of the Elections Code is amended to
27 read:

28 9008. Every proposed initiative measure, prior to circulation,
29 shall have placed across the top of the petition in 12-point or larger
30 roman boldface type, all of the following:

31 (a) *The Attorney General's unique numeric identifier placed*
32 *before the circulating title and summary upon each page where*
33 *the circulating title and summary is to appear.*

34 ~~(a)~~

35 (b) *The circulating title and summary prepared by the Attorney*
36 *General upon each page of the petition on which signatures are to*
37 *appear.*

38 ~~(b)~~

1 (c) The *circulating title and* summary prepared by the Attorney
2 General upon each section of the petition preceding the text of the
3 measure.

4 (e)

5 (d) The *circulating title and* summary prepared by the Attorney
6 General as required by subdivision ~~(b)~~ (c) shall be preceded by
7 the following statement: "Initiative measure to be submitted
8 directly to the voters."

9 SEC. 16. Section 9009 of the Elections Code is repealed.

10 ~~9009. A space at least one inch wide shall be left blank across~~
11 ~~the top of each page of every initiative petition and after the name~~
12 ~~of each voter who has signed the petition for the use of the county~~
13 ~~elections official in verifying the petition.~~

14 SEC. 17. Section 9009 is added to the Elections Code, to read:

15 9009. The heading of an initiative petition shall be in
16 substantially the following form:

17 Initiative Measure to Be Submitted Directly to the Voters

18 The Attorney General of California has prepared the following
19 circulating title and summary of the chief purpose and points of
20 the proposed measure:

21 (Here set forth the unique numeric identifier provided by the
22 Attorney General and circulating title and summary prepared by
23 the Attorney General. Both the Attorney General's unique numeric
24 identifier and the circulating title and summary must also be printed
25 across the top of each page of the petition whereon signatures are
26 to appear.)

27 To the Honorable Secretary of State of California

28 We, the undersigned, registered, qualified voters of California,
29 residents of ____ County (or City and County), hereby propose
30 amendments to the Constitution of California (the ____ Code,
31 relating to ____) and petition the Secretary of State to submit the
32 same to the voters of California for their adoption or rejection at
33 the next succeeding general election or at any special statewide
34 election held prior to that general election or as otherwise provided
35 by law. The proposed constitutional (or statutory) amendments
36 (full title and text of the measure) read as follows:

37 SEC. 18. Section 9012 of the Elections Code is repealed.

38 ~~9012. Officers required by law to receive or file in their offices~~
39 ~~any initiative or referendum petition shall not receive or file any~~
40 ~~initiative or referendum petition not in conformity with this article.~~

1 SEC. 19. Section 9012 is added to the Elections Code, to read:
2 9012. Any proposed initiative measure or referendum petition
3 may be presented in sections, but each section shall contain a full
4 and correct copy of the circulating title and summary and text of
5 the proposed measure. The text of the proposed measure shall be
6 printed in type not smaller than 8 point.

7 SEC. 20. Section 9013 of the Elections Code is repealed.

8 ~~9013. Notwithstanding any other provision of law, no initiative~~
9 ~~shall be placed on a statewide special election ballot that qualifies~~
10 ~~less than 131 days before the date of the election.~~

11 SEC. 21. Section 9013 is added to the Elections Code, to read:

12 9013. A space at least one inch wide shall be left blank across
13 the top of each page of every initiative and referendum petition
14 and after the name of each voter who has signed the petition for
15 the use of the county elections official in verifying the petition.

16 SEC. 22. Section 9014 of the Elections Code is amended to
17 read:

18 9014. Any initiative or referendum petition may be presented
19 in sections, but each section shall contain a full and correct copy
20 of the title and text of the proposed measure. The text of the
21 measure shall be printed in type not smaller than 8 point.

22 *No petitions for a proposed initiative measure or referendum*
23 *shall be circulated for signatures prior to the official summary*
24 *date. Petitions with signatures on a proposed initiative measure*
25 *shall be filed with the county elections official not later than 150*
26 *days from the official summary date, and no county elections*
27 *official shall accept petitions on the proposed initiative measure*
28 *after that period. Petitions for a proposed referendum measure*
29 *shall be filed with the county elections officials not later than 90*
30 *days from the date the legislative bill was chaptered by the*
31 *Secretary of State, and no county elections official shall accept*
32 *petitions for the proposed referendum after that period.*

33 SEC. 23. Section 9015 of the Elections Code is repealed.

34 ~~9015. The Secretary of State shall prepare and provide to any~~
35 ~~person, upon request, a pamphlet describing the procedures and~~
36 ~~requirements for preparing and circulating a statewide initiative~~
37 ~~measure and for filing sections of the petition, and describing the~~
38 ~~procedure used in determining and verifying the number of~~
39 ~~qualified voters who have signed the petition.~~

40 SEC. 24. Section 9015 is added to the Elections Code, to read:

1 9015. Officers required by law to receive or file in their offices
2 any initiative or referendum petition shall not receive or file any
3 initiative or referendum petition not in conformity with this article.

4 SEC. 25. Section 9016 is added to the Elections Code, to read:

5 9016. Notwithstanding any other provision of law, no initiative
6 measure shall be placed on a statewide special election ballot that
7 qualifies less than 131 days before the date of the election.

8 SEC. 26. Section 9017 is added to the Elections Code, to read:

9 9017. If, for any reason, any initiative or referendum measure
10 proposed by petition as provided by this article is not submitted
11 to the voters at the next succeeding statewide election, that failure
12 shall not prevent its submission at a succeeding statewide election.

13 SEC. 27. Section 9018 is added to the Elections Code, to read:

14 9018. The Secretary of State shall prepare and provide to any
15 person, upon request, a pamphlet describing the procedures and
16 requirements for preparing and circulating a statewide initiative
17 measure and for filing sections of the petition, and describing the
18 procedure used in determining and verifying the number of
19 qualified voters who have signed the petition.

20 SEC. 28. Section 9034 of the Elections Code is amended to
21 read:

22 9034. Upon the certification of an initiative measure for the
23 ballot, the Secretary of State shall transmit copies of the initiative
24 measure, together with the ~~ballot title~~ *circulating title and summary*
25 as prepared by the Attorney General pursuant to Section ~~9050~~
26 *9004*, to the Senate and Assembly. Each house shall assign the
27 initiative measure to its appropriate committees. The appropriate
28 committees shall hold joint public hearings on the subject of such
29 measure prior to the date of the election at which the measure is
30 to be voted upon. However, no hearing may be held within 30 days
31 prior to the date of the election.

32 Nothing in this section shall be construed as authority for the
33 Legislature to alter the initiative measure or prevent it from
34 appearing on the ballot.

35 SEC. 29. Section 9035 of the Elections Code is amended to
36 read:

37 9035. An initiative measure may be proposed by presenting to
38 the Secretary of State a petition that sets forth the text of the
39 proposed statute or amendment to the Constitution and is certified
40 to have been signed by registered voters equal in number to 5

1 percent in the case of a statute, and 8 percent in the case of an
2 amendment to the Constitution, of the voters for all candidates for
3 Governor at the last gubernatorial election preceding the issuance
4 of the *circulating* title and summary for the initiative measure by
5 the Attorney General.

6 SEC. 30. Section 9050 of the Elections Code is amended to
7 read:

8 9050. *After the Secretary of State determines that a measure*
9 *will appear on the ballot at the next statewide election, the*
10 *Secretary of State shall promptly transmit a copy of the measure*
11 *to the Attorney General. The Attorney General shall provide and*
12 *return to the Secretary of State a ballot title and summary and*
13 *ballot label for each measure submitted to the voters of the whole*
14 *state by a date sufficient to meet the ballot pamphlet public display*
15 *deadlines .*

16 SEC. 31. Section 9051 of the Elections Code is repealed.

17 ~~9051. Any person who is interested in any proposed measure~~
18 ~~may at any time, prior to 150 days before the election at which the~~
19 ~~measure is to be voted upon, file a copy of it with the Secretary of~~
20 ~~State, together with a request that a ballot title be prepared for it.~~
21 ~~This request shall be accompanied by the address of the person or~~
22 ~~association of persons proposing the measure. The Secretary of~~
23 ~~State shall immediately transmit a copy of the measure to the~~
24 ~~Attorney General. Within 10 days after it is filed, the Attorney~~
25 ~~General shall provide and return to the Secretary of State a ballot~~
26 ~~title for the measure. The ballot title may differ from the legislative~~
27 ~~or other title of the measure and shall express in not exceeding~~
28 ~~100 words the purpose of the measure. In providing the ballot title,~~
29 ~~the Attorney General shall give a true and impartial statement of~~
30 ~~the purpose of the measure in such language that the ballot title~~
31 ~~shall neither be an argument, nor be likely to create prejudice, for~~
32 ~~or against the proposed measure.~~

33 SEC. 32. Section 9051 is added to the Elections Code, to read:

34 9051. (a) (1) The ballot title and summary may differ from
35 the legislative, circulating, or other title and summary of the
36 measure and shall not exceed 100 words, not including the fiscal
37 impact.

38 (2) The ballot title and summary shall be amended to include a
39 summary of the Legislative Analyst's estimate of the net state and

1 local government fiscal impact prepared pursuant to Section 9087,
2 and Section 88003 of the Government Code.

3 (b) The ballot label shall contain no more than 75 words and
4 shall be a condensed version of the ballot title and summary
5 including the financial impact summary prepared pursuant to
6 Section 9087 of this code and Section 88003 of the Government
7 Code.

8 (c) In providing the ballot title and summary, the Attorney
9 General shall give a true and impartial statement of the purpose
10 of the measure in such language that the ballot title and summary
11 shall neither be an argument, nor be likely to create prejudice, for
12 or against the proposed measure.

13 SEC. 33. Section 9052 of the Elections Code is repealed.

14 ~~9052. Immediately upon receipt of the ballot title prepared by~~
15 ~~the Attorney General, the Secretary of State shall mail to all persons~~
16 ~~who may have requested the preparation of that ballot title, a notice~~
17 ~~addressed to them at the address accompanying the request, stating~~
18 ~~that the Attorney General has made and returned the ballot title.~~
19 ~~The notice shall also contain a copy of the ballot title prepared by~~
20 ~~the Attorney General.~~

21 SEC. 34. Section 9053 of the Elections Code is amended to
22 read:

23 9053. Each measure shall be designated on the ballot by the
24 ~~ballot title~~ *label* certified to the Secretary of State by the Attorney
25 General.

26 SEC. 35. Section 9054 of the Elections Code is amended to
27 read:

28 9054. (a) Whenever a city, county, or city and county is
29 required by Section 203 (42 U.S.C. Sec. 1973aa-1a) or Section
30 4(f)(4) (42 U.S.C. Sec. 1973b(f)(4)) of the federal Voting Rights
31 Act of 1965 to provide a translation of ballot materials in a
32 language other than English, the Secretary of State shall provide
33 a translation of the ballot title *and summary* prepared pursuant to
34 ~~Section 9050 9004~~ and of the ~~condensed statement of the ballot~~
35 ~~title~~ *ballot label* prepared pursuant to Section 13247 in that
36 language to the city, county, or city and county for each state
37 measure submitted to the voters in a statewide election not later
38 than 68 days prior to that election.

39 (b) When preparing a translation in a language other than
40 English pursuant to subdivision (a), the Secretary of State shall

1 consult with an advisory body consisting of language experts and
2 nonpartisan organizations that advocate on behalf of, or provide
3 services to, individuals that speak that language.

4 (c) All translations prepared pursuant to this section shall be
5 made available for public examination in the same time and manner
6 as the ballot pamphlet is made available for public examination in
7 accordance with Section 88006 of the Government Code and
8 Section 9092 of this code.

9 (d) The local elections official shall use that translation of the
10 ~~condensed statement of the ballot title~~ *ballot label* on the sample
11 ballot and the official ballot and may not select or contract with
12 another person to provide translations of the same text.

13 SEC. 36. Section 9063 of the Elections Code is amended to
14 read:

15 9063. The summary of a measure given in the press release
16 shall be the official *circulating title and* summary that has been
17 prepared by the Attorney General. The Legislative Counsel Bureau
18 shall prepare the summary on all other measures.

19 SEC. 37. Section 13247 of the Elections Code is amended to
20 read:

21 13247. ~~(a) The statement of all measures submitted to the~~
22 ~~voters shall be abbreviated on the ballot~~ *in a ballot label as*
23 ~~provided for in Section 9051. The statement shall contain not more~~
24 ~~than 75 words of each measure to be voted on; ballot label shall~~
25 ~~be followed by the words, "Yes" and "No." Abbreviation of~~
26 ~~measures to be voted on throughout the state shall be composed~~
27 ~~by the Attorney General and shall be a condensed statement of the~~
28 ~~ballot title prepared by him or her.~~

29 ~~(b) For purposes of measures to be voted on throughout the~~
30 ~~state, the limitation contained in subdivision (a) shall apply to the~~
31 ~~total number of words used in the condensed statement of the ballot~~
32 ~~title and the financial impact summary prepared pursuant to Section~~
33 ~~9087, and Section 88003 of the Government Code.~~

34 SEC. 38. Section 13280 of the Elections Code is repealed.

35 13280. ~~The ballot labels for measures shall contain a condensed~~
36 ~~statement in, where possible, not more than 20 words of each~~
37 ~~measure to be voted on, accompanied by the words "Yes" and~~
38 ~~"No."~~

39 SEC. 39. Section 13281 of the Elections Code is repealed.

1 ~~13281. The ballot label for measures to be voted on throughout~~
2 ~~the state shall be composed by the Attorney General and shall be~~
3 ~~a condensed statement of the ballot title prepared by him or her.~~

4 SEC. 40. Section 13282 of the Elections Code is amended to
5 read:

6 13282. Whenever the Attorney General prepares a ~~condensed~~
7 ~~statement of a ballot title~~ *ballot label*, the Attorney General shall
8 file a copy of the ~~statement~~ *ballot label* with the Secretary of State.
9 The Secretary of State shall make a copy of the ~~statement~~ *ballot*
10 *label* available for public examination prior to the printing of the
11 ~~statement~~ *ballot label* on any ballot. The public shall be permitted
12 to examine the ~~statement~~ *ballot label* for at least 20 days, and the
13 Secretary of State may consolidate the examination requirement
14 under this section with the public examination requirements set
15 forth in Section 9092. ~~Any~~ A voter may seek a writ of mandate
16 requiring ~~any statement~~ *a ballot label*, or portion thereof, to be
17 amended or deleted. The provisions set forth in Section 9092
18 concerning the issuance of the writ and the nature of the
19 proceedings shall be applicable to this section.